

IN RE: PETITIONS FOR SPECIAL EXCEPTION AND ZONING VARIANCE  
W/S Kurtz Avenue, 400 ft. S  
of c/l of Ridgely Road  
1720 Kurtz Avenue  
8th Election District  
4th Councilmanic District  
Edward P. Costlow, M.D., et ux  
Petitioners

\* BEFORE THE  
\* ZONING COMMISSIONER  
\* OF BALTIMORE COUNTY  
\* CASE # 91-271-XA

#### FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a Petition for Special Exception and Section 1801.1.C.9B of the Baltimore County Zoning Regulations (B.C.Z.R.) for approval of a physician's office within the physician's primary residence; and Petition for Zoning Variance from Section 409.4.A. to allow a driveway of 9 ft. in lieu of the required 20 ft. for a two way movement, as more particularly described on Petitioner's Exhibit Nos. 1 and 2.

The Petitioner, Dr. Edward Costlow, appeared, testified and was represented by J. Neil Lanzi, Esquire. Appearing on behalf of the Petitioner was Richard Beall, Architect. The following Protestants appeared, testified and were represented by John V. Murphy, Esquire: A.J. Feelmayer, President of the Lutherville Community Association, Dr. A.D. Bowes, Zoning Chairman of the Lutherville Community Association and Ralph R. Welsh.

Testimony indicated that the subject property known as 1720 Kurtz Avenue consists of .363 acres +/-, zoned D.R.2, and is currently improved with a two story family dwelling.

Testimony indicated that Dr. Costlow is desirous of converting the basement portion of his home into a physician's office for his private medical practice. Dr. Costlow indicated that a majority of his patients are elderly and need easy access from their automobiles to his office. He also testified that having an office in his home will save approximately \$6,000.00 per year in rental and is exceedingly convenient for himself.

Mr. Richard Beall, Architect, testified regarding the requirements of Section 1801.1.C.9B of the B.C.Z.R. which permits a home office of a physician in a D.R. zone by special exception provided certain floor area ratios are met. Said section reads, as follows:

"Offices or studios of physicians... provided that any such office or studio is established within the same building as that serving as the professional person's primary residence; does not occupy more than 25 percent of the total floor area of such residence; and does not involve the employment of more than one non-resident professional associate nor two other non-resident employees. (Bill No. 105, 1982.)"

Mr. Beall testified that, in his opinion, the Petitioner had met the 25% floor area ratio mandated in the aforementioned section and referred to the area calculations indicated on Petitioner's Exhibit No. 2 under "Site information". However, it is unclear how the Petitioner assessed the basement level 789 sq. ft. in view of the basement level floor plan insert on Petitioner's Exhibit No. 2. The Petitioner provided no square foot calculations for the landing at the bottom of the steps nor assessed any square foot area for the steps themselves or the area underneath the steps. The plan is not to scale.

Based upon the testimony and evidence produced at this hearing by the Petitioner, it is impossible to determine whether the Petitioner has met the requirements of Section 1801.1.C.9B of the B.C.Z.R. Therefore, the requested relief must be denied.

The aforementioned Protestants appeared and testified regarding their individual concerns and objections to the Petitioner's proposal. The Protestants' concerns included the commercialization of this community, traffic, and the adverse impact upon a nationally designated historical district and disturbance of the general adverse impact the proposed com-

-2-

ORDER RECEIVED FOR FILING  
Date 3/19/91  
By M. H. Hines

#### PETITION FOR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 91-271-XA

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property for a physician's office within the physician's primary residence pursuant to BCZR Section 1801.1C(9B).

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:

(Type or Print Name)

Signature

Address

City and State

Attorney for Petitioner:

J. Neil Lanzi, Esquire

Seiland and Jednorski, P.A.

(Type or Print Name)

Signature

Address

City and State

Attorney's Telephone No.: 321-8200

Legal Owner(s):

Edward P. Costlow, M.D.

(Type or Print Name)

Signature

Prances Costlow

(Type or Print Name)

Signature

Address

City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted

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**CERTIFICATE OF POSTING**  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

District: 8th Date of Posting: 2/1/91  
Posted for: Special Exception & Variance  
Petitioner: Edward P. Costlow, M.D., et al.  
Location of property: 1720 Kurtz Ave. c/l Ridgely Rd.  
Location of Sign: Facing Kurtz Ave. across 15' R. roadway.  
Remarks: on property of Baltimore  
Posted by: [Signature] Date of return: 2/3/91  
Number of Signs: 2

**CERTIFICATE OF PUBLICATION**

**NOTICE OF HEARING**  
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:  
Case number: 91-271-XA  
1720 Kurtz Avenue, 400' S of c/l Ridgely Road  
8th Election District  
4th Councilmanic District  
Petitioner(s): Edward P. Costlow, et al.  
Hearing Date: Thursday, Feb. 21, 1991 at 2:00 p.m.  
Special Exception for a physician's office within the physician's primary residence. Variance to allow a driveway width of 9 feet in lieu of the required 20 feet for two-way movement.  
J. ROBERT HAINES  
Zoning Commissioner of Baltimore County  
TJ1/1080 Jan. 24

TOWSON, MD., 1-25, 1991  
THIS IS TO CERTIFY, that the annexed advertisement was published in TOWSON TIMES, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 1-24, 1991

TOWSON TIMES,

S. Zeke Olson  
Publisher

\$ 84.29

**CERTIFICATE OF PUBLICATION**

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J. ROBERT HAINES  
Zoning Commissioner of Baltimore County  
TJ1/1080 Jan. 24

TOWSON, MD., 1-25, 1991

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 1-24, 1991

THE JEFFERSONIAN,

S. Zeke Olson  
Publisher

\$ 84.29

Baltimore County  
Zoning Commissioner  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

Account: R-001-6150  
Number

receipt  
No 3913

Date

1-25-91  
PUBLIC HEARING FEES  
080 - POSTING SIGNS / ADVERTISING 1 X  
LAST NAME OF OWNER: COSTLOW

0440480125KICRHC \$350.00  
54 0001104111-13-90  
Baltimore County

Cashier Validation:

Baltimore County  
Zoning Commissioner  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

Account: R-001-6150  
Number

receipt

Date

2/21/91  
PUBLIC HEARING FEES  
080 - POSTING SIGNS / ADVERTISING 1 X  
LAST NAME OF OWNER: COSTLOW

0440480125KICRHC \$134.29  
54 0001104111-13-91  
Baltimore County

Cashier Validation

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning

111 West Chesapeake Avenue  
Towson, MD 21204

887-3353

DATE: 2/11/91

Edward P. Costlow, M.D., et al.  
1720 Kurtz Avenue  
Lutherville, Maryland 21093

RE:  
Case Number: 91-271-XA  
400' S of c/l Ridgely Road  
1720 Kurtz Avenue  
8th Election District - 4th Councilmanic  
Petitioner(s): Edward P. Costlow, et al.  
HEARING: THURSDAY, FEBRUARY 21, 1991 at 2:00 p.m.

Dear Petitioner(s):

Please be advised that \$ 134.29 is due for advertising and posting of the above captioned property.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please make your check payable to Baltimore County, Maryland. Bring the check and the sign & post set(s) to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 113, Towson, Maryland fifteen (15) minutes before your hearing is scheduled to begin.

J. Robert Haines

J. ROBERT HAINES  
ZONING COMMISSIONER  
BALTIMORE COUNTY, MARYLAND

cc: J. Neil Lanzi, Esq.

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning

111 West Chesapeake Avenue  
Towson, MD 21204

887-3353

January 14, 1991

**NOTICE OF HEARING**

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:

Case Number: 91-271-XA  
400' S of c/l Ridgely Road  
1720 Kurtz Avenue  
8th Election District - 4th Councilmanic  
Petitioner(s): Edward P. Costlow, et al.  
HEARING: THURSDAY, FEBRUARY 21, 1991 at 2:00 p.m.

Special Exception for a physician's office within the physician's primary residence. Variance to allow a driveway width of 9 feet in lieu of the required 20 feet for two-way movement.

J. Robert Haines

J. ROBERT HAINES  
Zoning Commissioner of Baltimore County

cc: cc: Edward P. Costlow, M.D., et al.  
J. Neil Lanzi, Esq.

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning

111 West Chesapeake Avenue  
Towson, MD 21204

887-3353

February 8, 1991

J. Neil Lanzi, Esquire  
Seiland & Jednorski, P.S.  
25 W. Chesapeake Avenue, Suite 204  
Towson, MD 21204

RE: Item No. 210. Case No. 91-271-XA  
Petitioner: Edward P. Costlow, et al.  
Petition for Zoning Variance and Special Exception

Dear Mr. Lanzi:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Very truly yours,  
James E. Dyer  
JAMES E. DYER  
Chairman  
Zoning Plans Advisory Committee

JED:jw

Enclosures

cc: Mr. & Mrs. Edward P. Costlow  
1720 Kurtz Avenue  
Lutherville, MD 21093

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning

111 West Chesapeake Avenue  
Towson, MD 21204

887-3353

Your petition has been received and accepted for filing this 5th day of December, 1990.

J. Robert Haines  
J. ROBERT HAINES  
ZONING COMMISSIONER

Received By:

James E. Dyer  
Chairman,  
Zoning Plans Advisory Committee

Petitioner: Edward P. Costlow, et al.

Petitioner's Attorney: J. Neil Lanzi

BALTIMORE COUNTY, MARYLAND  
INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines  
Zoning Commissioner  
DATE: January 28, 1991  
FROM: Pat Keller, Deputy Director  
Office of Planning and Zoning  
SUBJECT: Edward P. Costlow, Item No. 210

The petitioner requests a Variance to allow a driveway width of 9 ft. in lieu of the required 20 ft. for two-way movement.

In reference to the applicant's request, staff offers the following comments:

- The site is located within the National Register Historic District of Lutherville and the Baltimore County Historic District. The property is also identified as being within a community conservation area by the Master Plan.
- The Baltimore County Landmarks Commission may desire to review the proposed request, including any proposed identification sign. The plan should be revised to include a sign detail.

This office is concerned regarding the issue of intensification of use in the review of the requested special exception. The proposed use may not be desirable since the site is located within a community conservation area and the National Register Historic District.

The three (3) parking spaces that are proposed may be insufficient for physician, employee, and patient parking. The applicant may wish to explore the possibility of providing stack parking.

Should the petitioner's request be granted, a landscape plan should be submitted to the deputy director of the Office of Planning and Zoning prior to the issuance of any permits.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

PK/JL/cmm  
ITEM210/ZAC1

received  
2/1/91

Baltimore County  
Department of Public Works  
Bureau of Traffic Engineering  
County Office Building  
Towson, Maryland 21204  
(301) 887-3554

November 28, 1990



Mr. J. Robert Haines  
Zoning Commissioner  
County Office Building  
Towson, MD 21204

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for item numbers, 187, 200, 203, 204, 206, 208, 210, 211, and 212.

Very truly yours,

*Michael S. Flanigan*  
Michael S. Flanigan  
Traffic Engineer Associate II

MSF/lab

received  
12/13/90

BALTIMORE COUNTY, MARYLAND  
INTER-OFFICE CORRESPONDENCE  
November 30, 1990

received  
12/14/90

TO: J. ROBERT HAINES, ZONING COMMISSIONER, DEPARTMENT ZONING  
FROM: CHARLES E. BURNHAM, PLANS REVIEW CHIEF, DEPARTMENT OF PERMITS & LICENSES  
SUBJECT: ZONING ITEM #: 210  
PROPERTY OWNER: Edward P. Costlow, M.D., et ux

LOCATION: W/S Kurtz Avenue, 400' S of centerline  
Ridgely Road (#7120 Kurtz Avenue)  
ELECTION DISTRICT: 8th  
COUNCILMANIC DISTRICT: 4th

A REVIEW OF THE SITE PLAN FOR THE ABOVE ZONING ITEM INDICATES THE FOLLOWING:

- ( ) PROPOSED SITE PLAN DOES, DOES NOT, COMPLY TO STATE CODE OF MARYLAND REGULATION 05.01.07, MARYLAND BUILDING CODE FOR THE HANDICAPPED.
- ( ) PARKING LOCATION ( ) RAMPS (degree slope)
- ( ) NUMBER PARKING SPACES ( ) CURB CUTS
- ( ) BUILDING ACCESS ( ) SIGNAGE
- ( ) PLAN DOES, DOES NOT COMPLY TO SET BACKS FOR EXTERIOR FIRE SEPARATION DISTANCE OF ARTICLE 5 AND ARTICLE 9 OF THE CURRENT BALTIMORE COUNTY BUILDING CODE.
- ( ) A BUILDING PERMIT IS REQUIRED BEFORE ANY CONSTRUCTION CAN BEGIN. SECTION 111.1 OF ARTICLE 1. CONSTRUCTION DRAWINGS MAY BE REQUIRED.
- ( ) A CHANGE OF OCCUPANCY PERMIT IS REQUIRED TO CHANGE THE EXISTING USE OF THE STRUCTURE TO THE PROPOSED USE. SEE ARTICLE THREE AND ARTICLE ONE, SECTION 103.2 ALTERATIONS MAY BE NECESSARY BY CODE TO COMPLY TO NEW USE REQUIREMENTS.
- ( ) STRUCTURE IS SUBJECT TO FLOOD PLAIN LIMITATIONS, SECTION 516.0 COUNCIL BILL #158-88 (BALTIMORE COUNTY BUILDING CODE).
- (X) OTHER - NO COMMENT

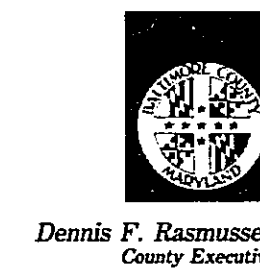
PERMITS MAY BE APPLIED FOR @ ROOM 100, 111 WEST CHESAPEAKE AVENUE, TOWSON, MARYLAND 21204 - PHONE - 887-3900.

THIS REVIEW COVERS ONLY MAJOR ITEMS ASSOCIATED WITH THE SITE PLAN, A FULL REVIEW MAY BE CONDUCTED WHEN THE PERMIT APPLICATION AND PLANS ARE SUBMITTED.

APPLICABLE CODE: 1987 NATIONAL BUILDING CODES AS ADOPTED BY COUNCIL BILL #158-88.

Baltimore County  
Fire Department  
700 East Joppa Road, Suite 901  
Towson, Maryland 21204-5500  
(301) 887-4500  
Paul H. Reincke  
Chief

NOVEMBER 28, 1990



J. Robert Haines  
Zoning Commissioner  
Office of Planning and Zoning  
Baltimore County Office Building  
Towson, MD 21204

RE: Property Owner: EDWARD P. COSTLOW, M.D.

Location: #1720 KURTZ AVENUE

Item No.: 210 Zoning Agenda: DECEMBER 4, 1990

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1988 edition prior to occupancy. CHAPTER 26

REVIEWER: *Pat W. B. [Signature]* Noted and Approved *Pat W. B. [Signature]*  
Planning Group Fire Prevention Bureau  
Special Inspection Division

JK/KEK

received  
11/29/90

BALTIMORE COUNTY, MARYLAND  
INTER-OFFICE CORRESPONDENCE

TO: Zoning Advisory Committee DATE: November 27, 1990

FROM: Robert W. Bowling, P.E.

RE: Zoning Advisory Committee Meeting  
for December 4, 1990

The Developers Engineering Division has reviewed the subject zoning items and we have no comments for Items 200, 206, 209, 210 and 211.

For Items 187 and 212, the previous County Review Group Comments are still applicable.

For Item 203, the correct plat reference is Plat Book 9, Folio 4. Also, the east and west property line dimensions appear to be reversed.

For Item 204, the site must be submitted through the minor subdivision process for review and comments.

*Robert W. Bowling*  
ROBERT W. BOWLING, P.E., Chief  
Developer Engineering Division

RWB:s

BALTIMORE COUNTY, MARYLAND  
INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines DATE: February 19, 1991  
Zoning Commissioner

FROM: Pat Keller, Deputy Director  
Office of Planning and Zoning

SUBJECT: Edward P. Costlow, Item No. 210  
ADDENDUM

Should the petitioner's request be granted, staff recommends that the applicant submit an "as improved" landscape plan to file.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

PK/JL/cmm  
ITEM210.ADD/ZAC1

SEILAND AND JEDNORSKI, P. A.  
ATTORNEYS AT LAW

CHARLES A. JEDNORSKI  
DONALD M. BARRICK  
J. MICHAEL REICHER  
J. NEIL LANZI

SUITE 204  
25 WEST CHESAPEAKE AVENUE  
POST OFFICE BOX 5404  
TOWSON MARYLAND 21204

JOHN O. SEILAND  
OF COUNSEL

FAX NO. (301) 296-6047

January 24, 1992

Gwen Stephens, Office of Planning and Zoning  
County Office Building  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Re: Item No. 210 Special Exception/Variance  
Petitioner: Edward Costlow, M.D.  
Frances Costlow  
1720 Kurtz Avenue

Dear Ms. Stephens:

Would you kindly advise as to whether a Hearing date has been scheduled for the above listed item number. Thank you very much for your cooperation.

Very truly yours,

*John V. Murphy*

J. Neil Lanzi

JNL:sb

RECEIVED  
JAN 16 1991  
ZONING OFFICE

LAW OFFICES OF  
JOHN V. MURPHY, ESQUIRE

JOHN V. MURPHY  
JANET BUSH HANDY

14 N. ROLLING ROAD  
CATONSVILLE, MD 21228  
301-744-4907  
301-744-9025

January 21, 1991

FAX: 744-8936

Board of Appeals of Baltimore Co.  
County Office Building  
Towson, Maryland 21204

RE: Special Exception/Variance  
1720 Kurtz Avenue  
Lutherville, Maryland  
Zoning item 201

Dear Ladies/Gentlemen:

Please enter my appearance on behalf of Michael T. Callahan, 1722 Kurtz Avenue, and Ralph K. Welsh, 1718 Kurtz Avenue, Lutherville, Maryland 21093 in opposition to the above request for Special Exception and Variance. I had previously entered my appearance on behalf of the Lutherville Community Association. I would appreciate your letting me know the scheduled hearing date.

Very truly yours,

*John V. Murphy*  
John V. Murphy

JVM/pam  
cc: J. Neil Lanzi, Esq.  
Michael Callahan  
Ralph Welsh  
Terry Felemeyer

81-111111 42 NW 16  
COUNTY BOARD OF APPEALS

Note:  
Copy of 1-14-91  
Notice of Hearing  
mailed to Mr. Murphy  
on 1/25/91

Floor Area Calculations

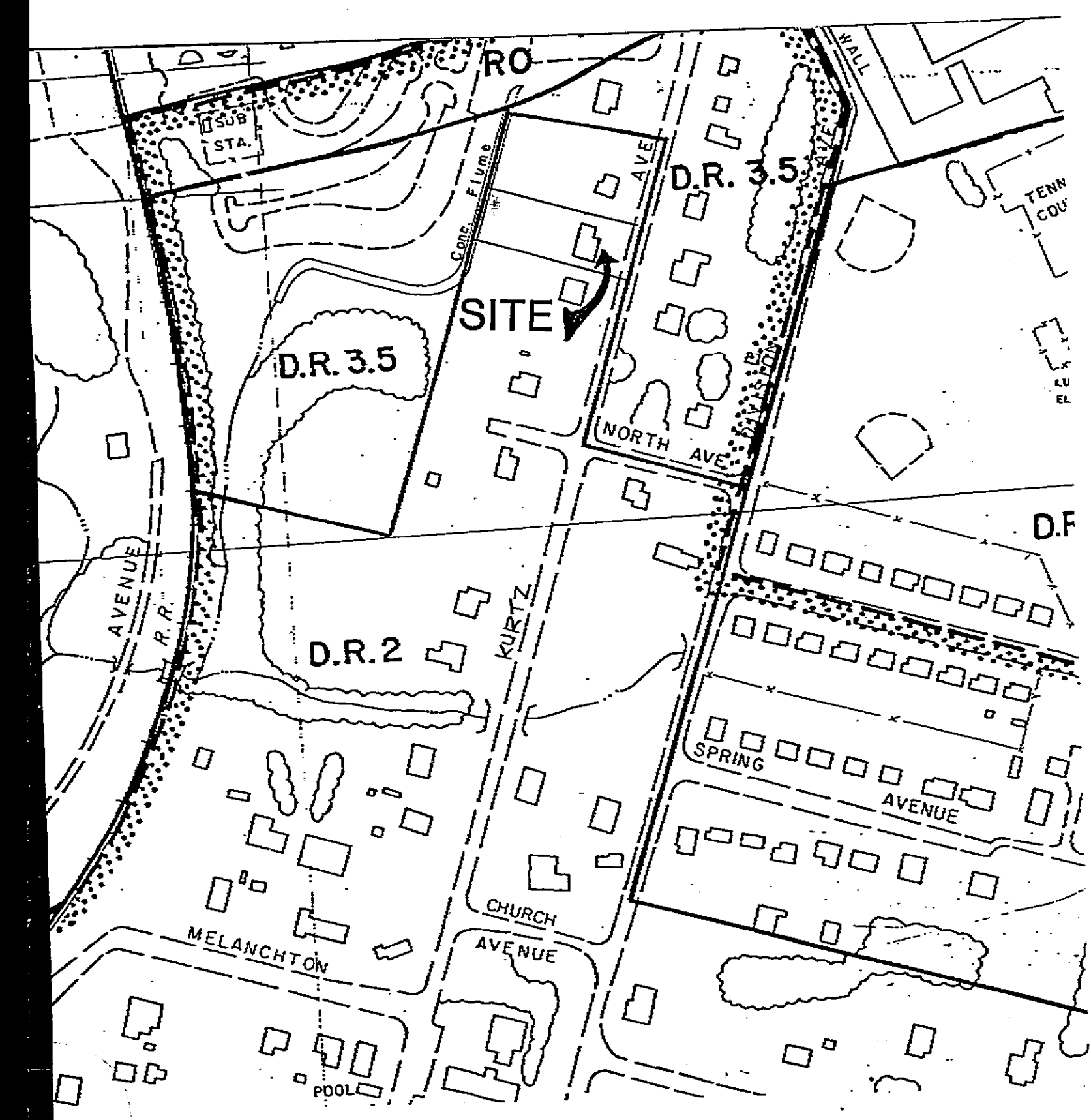
Basement  
 $24.5 \times 32.2 = 789$

First Floor  
 $(24.5 \times 32.2) + (12.5 \times 20.2)$   
 $789 + 253 = 1042$

Second Floor  
 $853$   
 $2684$

Ratio Office Use to total  
(include stairwell and  
use outside dimension)  
 $789 = 29.4\%$   
 $2684$





AREA MAP  
SCALE: 1" = 200'  
DR. EDWARD P. & FRANCES B. COSTLOW PROPERTY  
1720 KURTZ AVENUE, Lutherville Md.  
21093

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME  
Richard L. Beall A.I.A.  
FRANCES COSTLOW

ADDRESS  
1720 Kurtz Ave Lutherville 21093  
360 Jones Station Rd, Arundel  
1720 Kurtz Ave. Lutherville 21093

PLEASE PRINT CLEARLY

PROTESTANT(S) SIGN-IN SHEET

NAME  
A. N. FEELMYER  
Dr. A. D. Bowes  
RALPH A. WELSH

ADDRESS  
319 Melancton Ave, 21093  
1603 & Francis Ave 21093  
1712 KURTZ AVE, 21093

91-271XA

PROTESTANT'S  
EXHIBIT 1  
91-271XA

B. Standards Applicable to Existing Developments Etc.  
The minimum standards for net area, lot width, front-yard depth, single-side-yard width, sum of widths of both side yards, rear-yard depth, and height with respect to each use in a development described in Subparagraph A.1, above, shall be as prescribed by the zoning regulations applicable to such use at the time the plan was approved by the Planning Board or Commission; however, the same or similar standards may be codified and comparable bulk (height or area) standards for different permitted uses may be established and codified under Section 504, and these standards shall thereupon control in such existing developments. Development of any subdivision described in Subparagraph A.2 shall be in accordance with the tentatively approved subdivision plan therefor. Standards for development of lots or tracts described in Subparagraphs A.3, A.4 or A.5 shall be as set forth in Paragraph C, below. [Bill No. 100, 1970.]

C. Development Standards for Small Lots or Tracts.  
[Bill No. 100, 1970.]

1. Any dwelling hereafter constructed on a lot or tract described in Subparagraph A.3 or A.4 shall comply with the requirements of the following table:

Zoning Classification	Minimum Net Lot Area per Dwelling Unit, in square feet	Minimum Lot Width, in feet	Minimum Front-Yard Depth, in feet	Minimum Width of Individual Side Yard, in feet	Minimum Set-Back Side-Yard Width, in feet	Minimum Rear-Yard Depth, in feet
D.R. 1	40,000 square feet	150	50	20	30	50
D.R. 2	20,000 square feet	100	40	15	40	40
D.R. 3.5	10,000 square feet	70	30	10	25	30
D.R. 5.5	6,000 square feet	55	25	10	—	30
D.R. 10.5	3,000 square feet	20	10	10	—	50
D.R. 16	2,500 square feet	20	10	25	—	30

[Bill No. 100, 1970.]

2. Other standards for development of small lots on tracts as so described shall be as set forth in provisions adopted pursuant to the authority of Section 504. [Bill No. 100, 1970.]

1B-26

Lutherville Community Association  
P.O. Box 6  
Lutherville, Maryland 21093

RESOLUTION OF LUTHERVILLE COMMUNITY ASSOCIATION

THIS IS TO CERTIFY that the Lutherville Community Association has determined on the 22nd day of January 1991 to oppose the proposed zoning exception for a professional office located in a private residence and the zoning variance to allow a driveway width less than required by law on the property located at 1720 Kurtz Avenue, Lutherville, Maryland, 21093.

That this position was adopted by the General Membership, and the Board of Directors, and complies with the Association Charter, By-Laws and Rules of Procedure.

That the boundaries of the Association are as follows: North, Ridgely Road; West, I-83; South, I-695; East, York Road and Bellona Avenue.

That the number of members of the Association on the date of determination was 289.

That the Association authorizes Mr. A. N. Feelmyer to speak for the Association in regard to this issue before the Zoning Board.

That the undersigned President and Secretary certify that the above designated representative is a duly elected member of the Board of Directors and/or Zoning Committee of the Association.

PROTESTANT'S  
EXHIBIT 2  
91-271XA

PROTESTANT'S  
EXHIBIT 4  
91-271XA

DATE 12/18/90  
PRESENT MONEY INQUIRY

PROPERTY LOCATION	ZIP	TYPE	TYPE	LIST DATE	AVAIL.	SQ. FT.	ACRES	ZONING	AGENT	SALE PRICE	LEASE AMT
100 WEST ROAD	21093	LEASE	OFF	11/03/87		5000	.00		ROUSE & ASSOCIAT NPS	\$19,500/5F	
1001 CROWNELL BRIDGE ROAD	21094	LEASE	OFF	05/22/86		8724	.00		WACKENKIE & ASSO NPS	\$13,500/5F	
101 WEST RIDGELY ROAD	21093	LEASE	OFF	08/27/90		1700	.00		LATSHAW COMMERCIAL NPS	\$12,500/5F	
102 W. PENNSYLVANIA-SUBLEASE	21094	LEASE	OFF	02/07/87		2800	.00	ML	M. C. PINNARD & NPS	\$15,115/5F	
1031 CROWNELL BRIDGE ROAD	21094	LEASE	OFF	02/06/89		5000	.00		CASEY & ASSOCIAT NPS	\$16,000/5F	
106 W. TOWNHILL ROAD	21093	LEASE	OFF	11/02/90		10000	.00		WACKENKIE CORPORAT NPS	\$16,000/5F	
108 W. TOWNHILL ROAD	21093	LEASE	OFF	11/29/90		10000	.00		M. C. PINNARD & NPS	\$19,500/5F	
109 WEST TOWNHILL DRIVE	21094	LEASE	OFF	06/20/86		3000	.00	OFFICE	JOE ATLANTIC P&O	\$17,700/5F	
1104 KENILWORTH DRIVE	21094	LEASE	OFF	02/04/90		4280	.00		M. C. PINNARD & NPS	\$20,50-22	
1104 KENILWORTH DRIVE-SUBLEASE	21094	LEASE	OFF	06/20/86		4535	.00		M. C. PINNARD & NPS	\$14,50-415	
1122 KENILWORTH DRIVE	21093	LEASE	OFF	06/13/88		10000	.00		WACKENKIE CORPORAT	\$12,000/5F	
1206 YORK ROAD	21093	LEASE	OFF	12/26/89		1488	.00		WACKENKIE & ASSO NPS	\$16,700/5F	
1212 YORK ROAD	21093	LEASE	OFF	06/03/87		4000	.00		M. C. PINNARD & NPS	\$15,25	
1300 BELLONA AVENUE	21093	LEASE	OFF	09/04/90		1077	.00		WACKENKIE & ASSO NPS	\$14,000/5F	
1300 YORK ROAD	21093	LEASE	OFF	06/03/87		4250	.00		WACKENKIE & ASSO NPS	\$7,00-16.0	
1304 BELLONA AVENUE	21093	LEASE	OFF	11/04/86		4079	.00		O'DONOR PIPER & NPS	\$17,25-421	
1400 FRONT AVENUE	21093	LEASE	OFF	01/13/88		3367	.00		HILL MANAGEMENT NPS	\$19,000/5F	
1402 YORK ROAD	21093	LEASE	OFF	08/16/89		2996	.00		CASEY & ASSOCIAT NPS	\$16,00-14	
1407 YORK ROAD	21093	LEASE	OFF	02/05/86		3210	.00		CASEY & ASSOCIAT NPS	\$14,00	
16 GREENMEADOW DRIVE	21094	LEASE	OFF	08/16/89		9980	.00		HELSBURN PROPERT NPS	\$20,000/5F	
200 EAST JOPPA ROAD	21094	LEASE	OFF	05/31/89		1700	.00		WACKENKIE CORPORAT NPS	\$17,500/5F	
200 TOWNHILL AVENUE	21093	LEASE	OFF	08/02/89		2752	.00		P. FREEMAN CORP NPS	\$12,50	
229 GREENSPRING DRIVE	21093	LEASE	OFF	02/14/90		3968	.00		WACKENKIE & ASSO NPS	\$18,80-419	
2311 YORK ROAD	21093	LEASE	OFF	01/15/86		1445	.00		WACKENKIE & ASSO NPS	\$12,50	
2328 WEST JOPPA ROAD	21093	LEASE	OFF	02/24/89		5000	.00		O'DONOR PIPER & NPS	\$12,75-13	
2330 WEST JOPPA ROAD	21094	LEASE	OFF	04/20/89		5639	.00	BR-CT	HILL MANAGEMENT NPS	\$15,500/5F	
28 EILEEN AVENUE	21093	LEASE	OFF	08/16/89		1247	.00		LATSHAW COMMERCIAL NPS	\$4,000, 0/0L	
30 EAST PROSPECT ROAD	21093	LEASE	OFF	02/24/87		4700	.00		NPS	\$7,000/5F	
30 WEST PENNSYLVANIA AVENUE	21094	LEASE	OFF	05/18/89		7000	.94	RD	M. C. PINNARD & NPS	\$11,500/5F	
301 WEST CHESTER AVENUE	21094	LEASE	OFF	05/22/90		1167	.00		LATSHAW COMMERCIAL NPS	\$7,000/5F	
305 WEST CHESTER AVENUE-SUB	21094	LEASE	OFF	12/10/86		1100	.00		LATSHAW COMMERCIAL NPS	\$12,500/5F	
319 YORK ROAD	21094	LEASE	OFF	08/27/90		4400	.00		CASEY & ASSOCIAT NPS	\$17,500/5F	
321 YORK ROAD	21093	LEASE	OFF	02/27/89		1400	.00		WACKENKIE & ASSO NPS	\$15,250/5F	
375 PROSPECT AVENUE	21094	LEASE	OFF	04/18/87		6535	.00		LATSHAW COMMERCIAL NPS	\$14,000/5F	
40 WEST CHESTER AVENUE	21094	LEASE	OFF	08/27/90		6203	.00		O'DONOR PIPER & NPS	\$12,500/5F	
502 BRYANTON AVENUE	21094	LEASE	OFF	04/20/89		1508	.34	BR-CT	WACKENKIE & ASSO NPS	\$12,000/5F	
724 YORK ROAD	21094	LEASE	OFF	03/17/89		1629	.00	RD	WACKENKIE & ASSO NPS	\$13,00	
7400 YORK ROAD	21094	LEASE	OFF	03/25/86		2281	.00		WACKENKIE & ASSO NPS	\$15,25	
7402 YORK ROAD	21094	LEASE	OFF	09/03/90		4805	.00		NPS	\$7,000/5F	
8320 BELLONA AVENUE	21094	LEASE	OFF	09/11/85		3200	.00		M. C. PINNARD & NPS	\$15,500/5F	
8500 LICH RIVER BOULEVARD	21094	LEASE	OFF	05/22/87		3823	.00		M. C. PINNARD & NPS	\$19,500/5F	
8501 LAMARLE ROAD	21094	LEASE	OFF	08/06/90		6177	.00		CASEY & ASSOCIAT NPS	\$16,500/5F	
901 DULANEY VALLEY ROAD	21094	LEASE	OFF	03/04/90		7551	.00		P. FREEMAN CORP NPS	\$17,000/5F	
901 DULANEY VALLEY ROAD-SUBLEASE	21094	LEASE	OFF	04/11/88		1132	.00		NPS	\$19,500/5F	
9475 BEESDORF ROAD	21093	LEASE	OFF	08/22/86		1505	.00		HILL MANAGEMENT NPS	\$14,000/5F	
9515 BEESDORF ROAD	21093	LEASE	OFF	06/16/86		148	.00		O'DONOR PIPER & NPS	\$15,500/5F	
9727 GREENHILL DRIVE	21093	LEASE	OFF	03/01/88		8500	.00				
ONE TIMESTAMP PLACE	21094	LEASE	OFF	03/01/88		8500	.00				

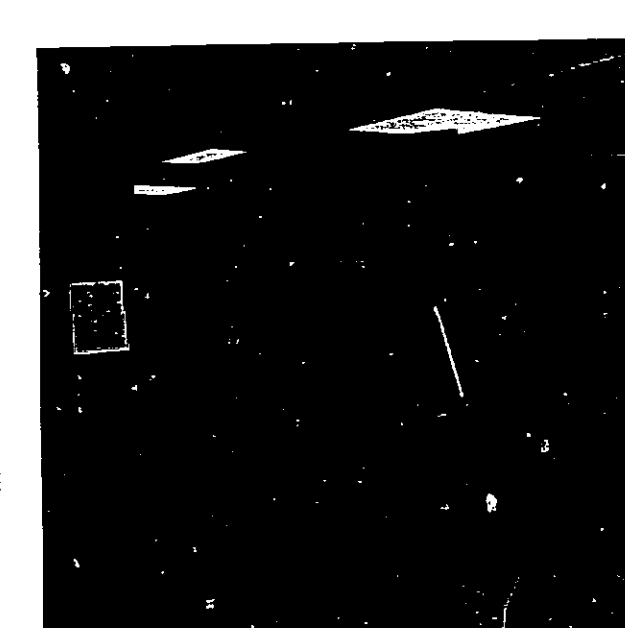
PETITIONER(S) EXHIBIT 4



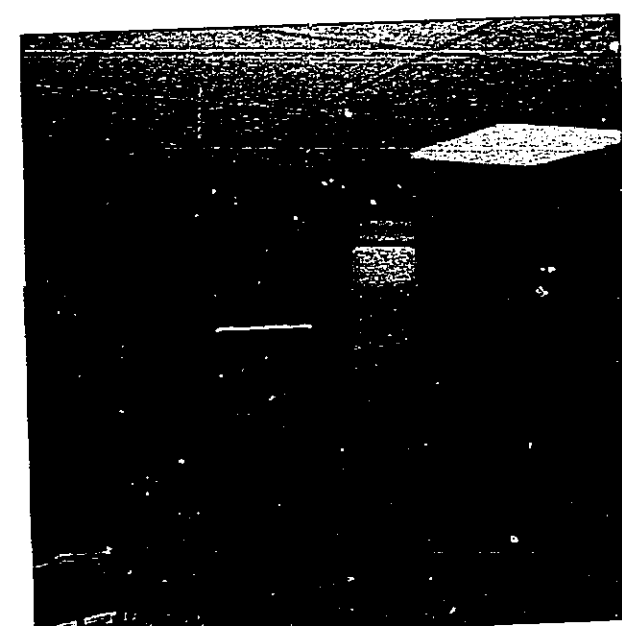
PETITIONER(S) EXHIBIT 4A



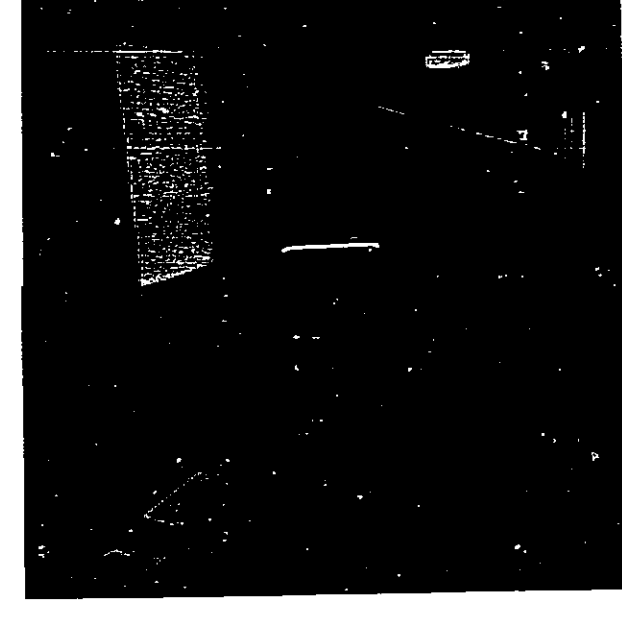
Sitting Area  
91-271-XA



Examining Room  
91-271-XA



Yellow Door Outside Entrance  
91-271-XA



Secretary's Desk & Bathroom  
91-271-XA

PETITIONER(S) EXHIBIT 5





91-271XA

PETITIONER(S) EXHIBIT (5A)



PETITIONER(S) EXHIBIT (5) 91-271XA

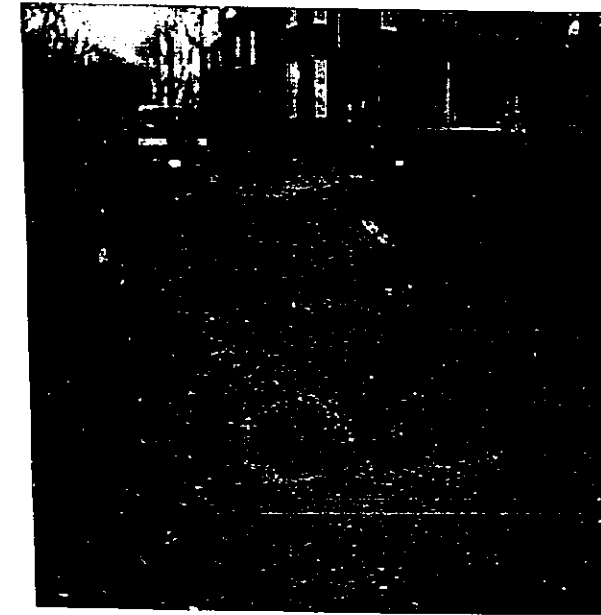


ZONING CASE 91-271-XA

LAWN PARKING



1422 S. 1st Ave



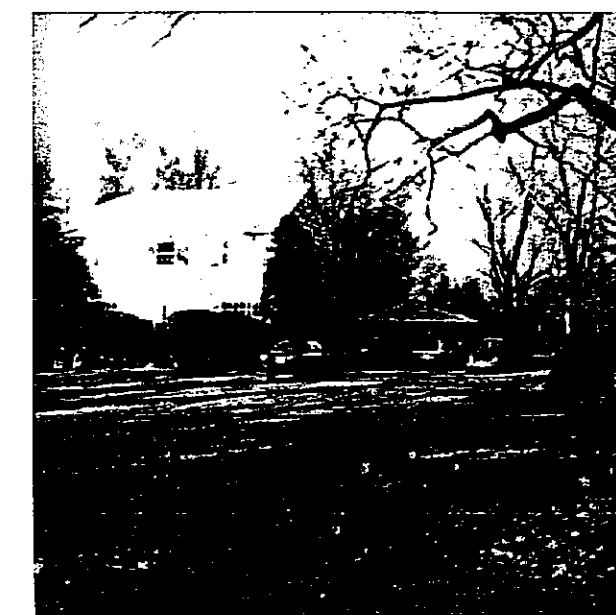
1423 FRANK



1421 FRANK



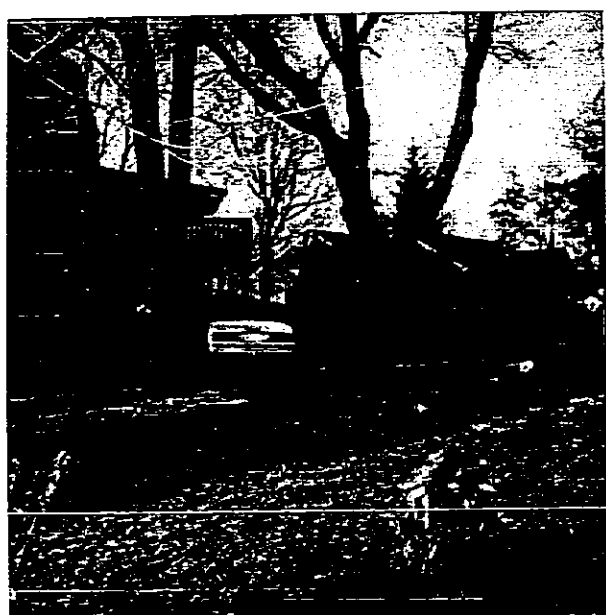
1412 CLARK Ave



210 Melancton 6 CARS  
1 no gens

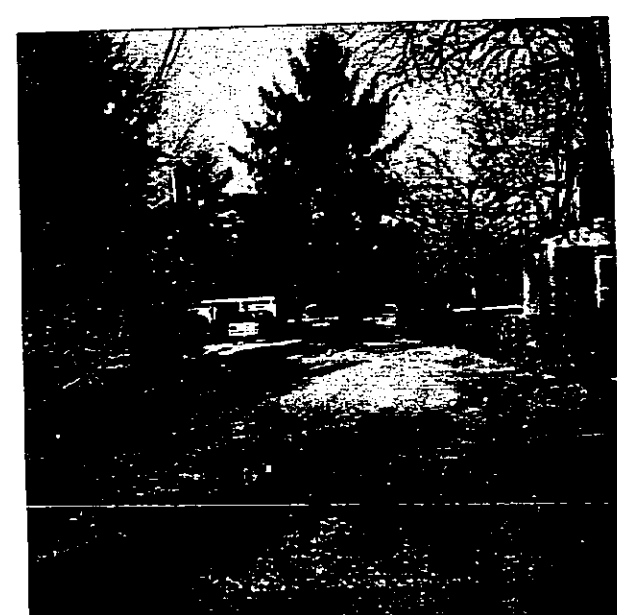
PETITIONER'S  
EXHIBIT 8

ZONING CASE 91-271-XA



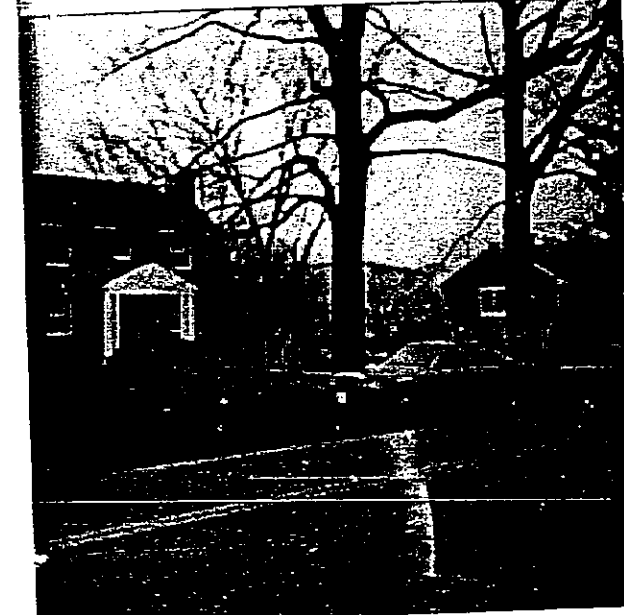
302 Melancton

4 CARS



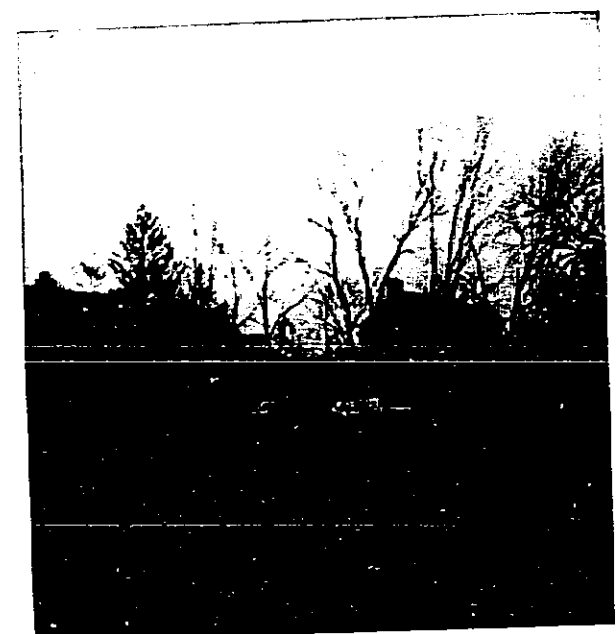
1708 Kurtz

3 CARS

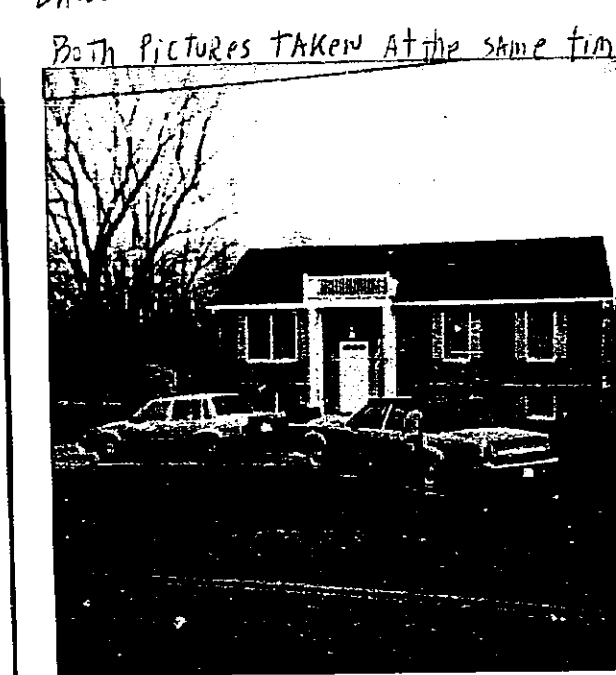


1712 Kurtz

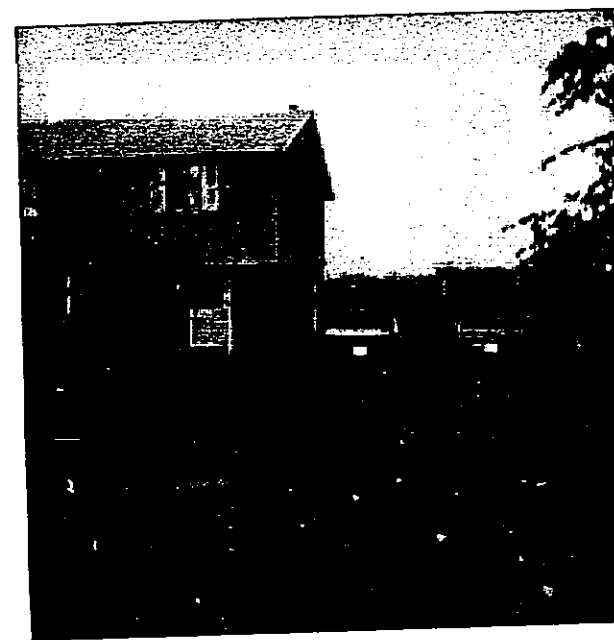
LAWN



1714 REAR 4 CARS

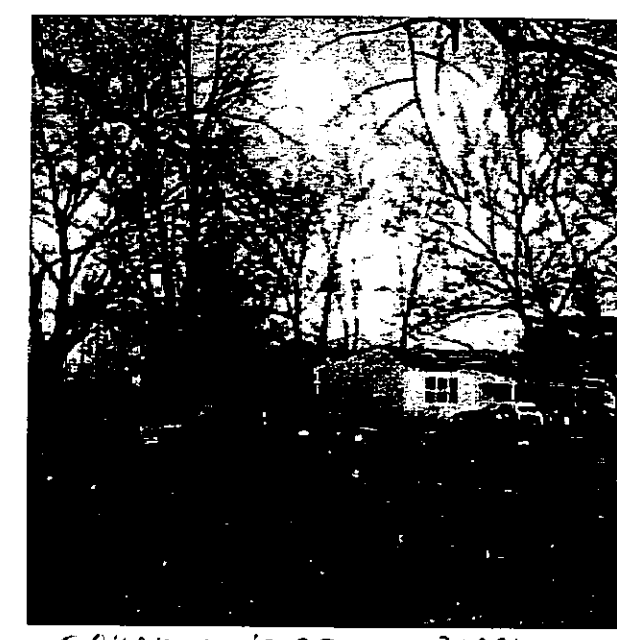


1714 FRONT 2 CARS



Webb 1718 Kurtz

1720 Kurtz



CAHANAN 1722

2 CARS

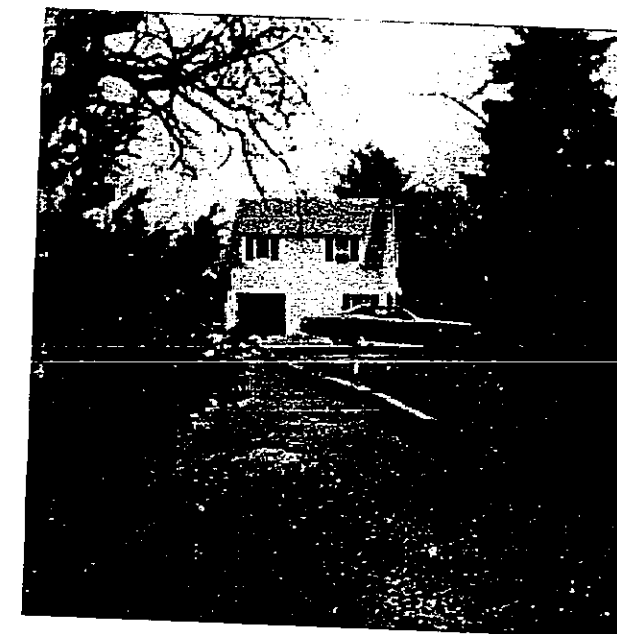


1726 Kurtz

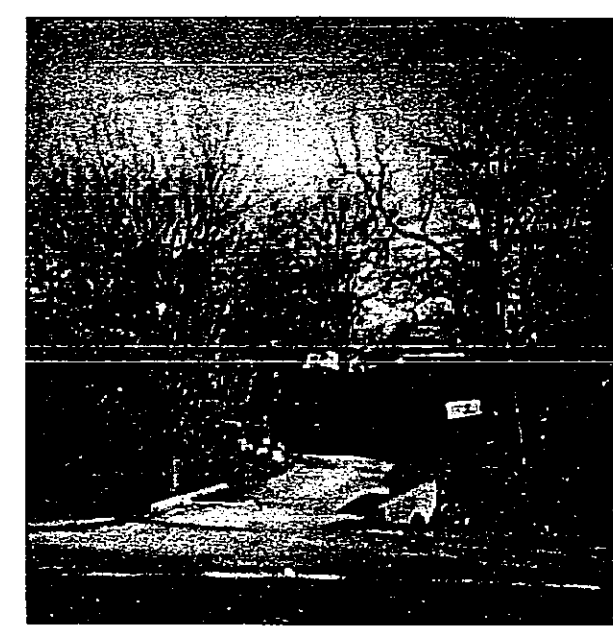
8 CARS  
6 CARS  
2 by phone



308 MORRIS  
Bldg BRKFAST



212 SPRING Ave.  
Business

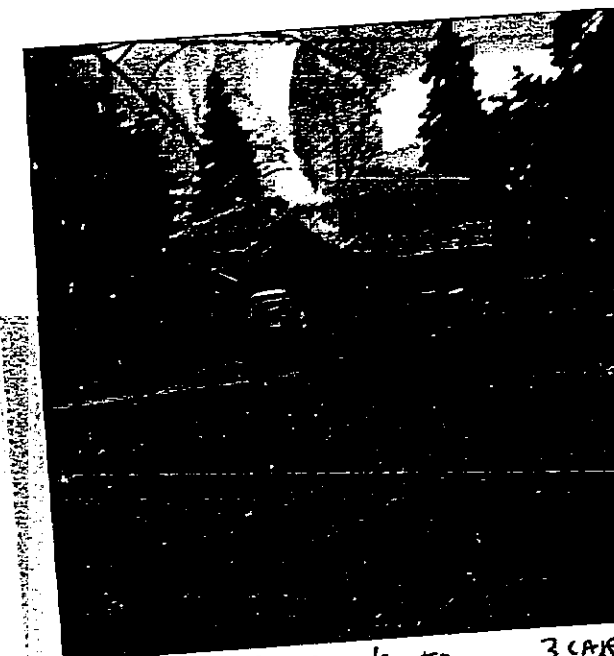


Dorset-Bellows 4 CARS

PETITIONER'S  
EXHIBIT 8

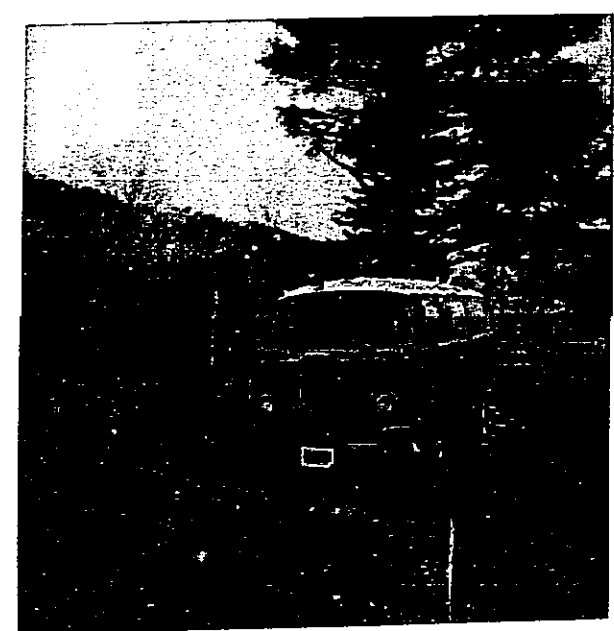
PETITIONER'S  
EXHIBIT 8

NORTH AVE.



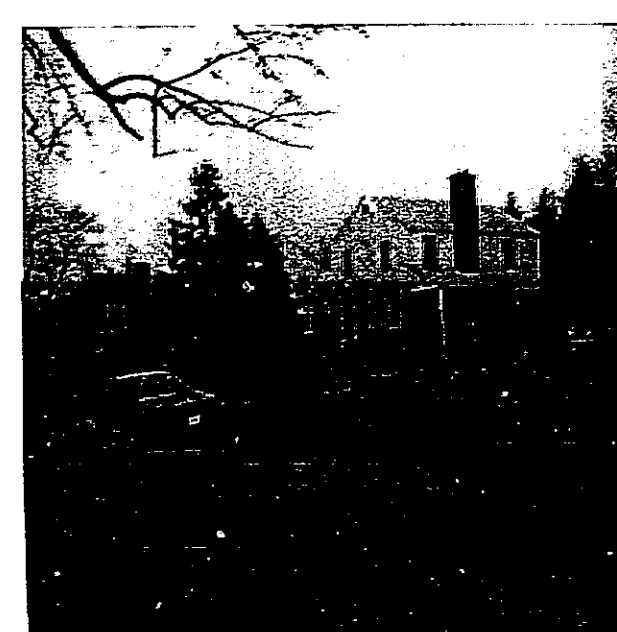
1719 Kurtz 3 CARS

LAWN



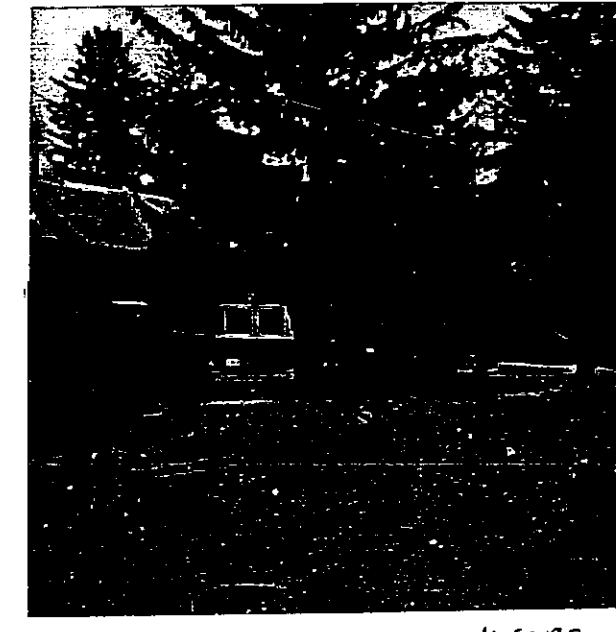
302 NORTH Ave.

LAWN



1723 Kurtz

LAWN



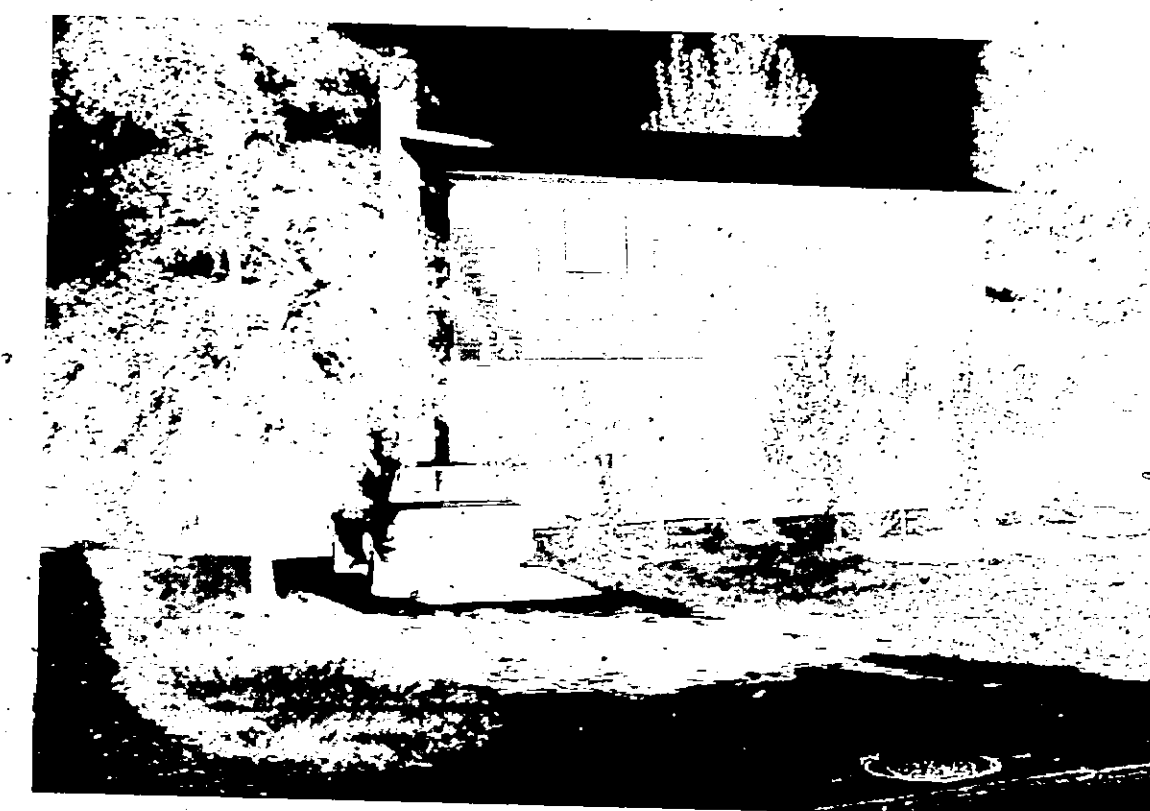
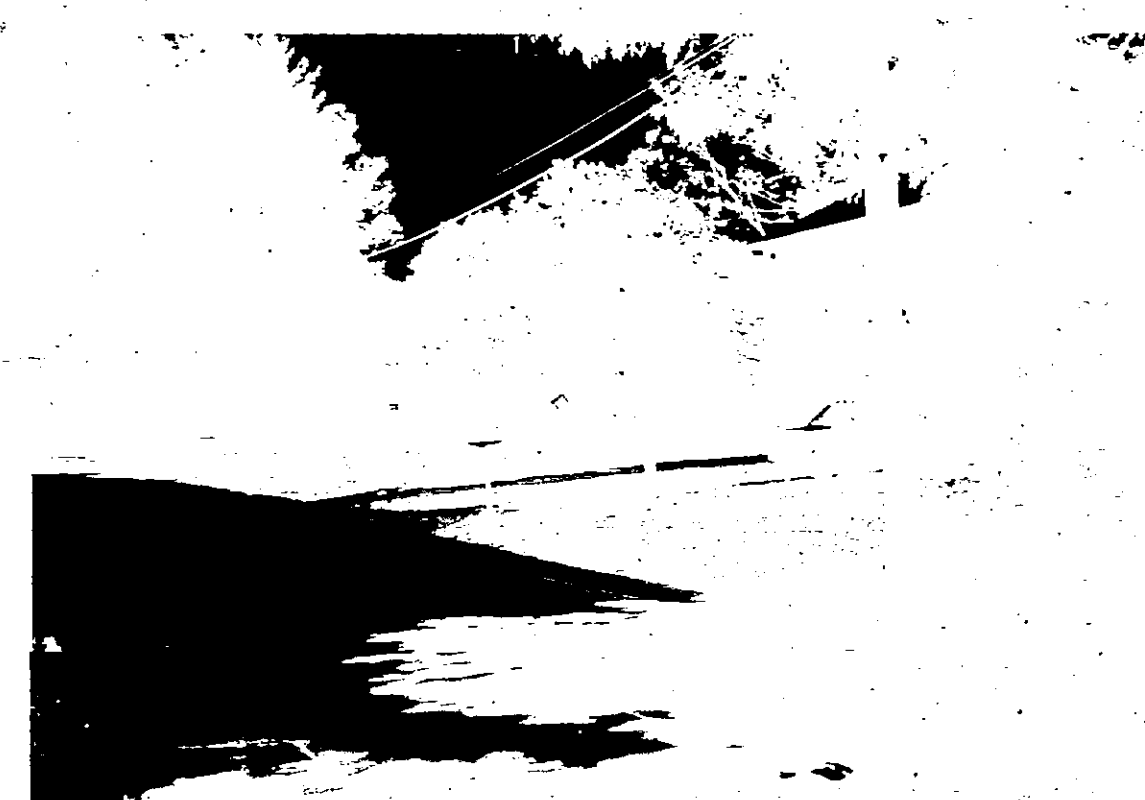
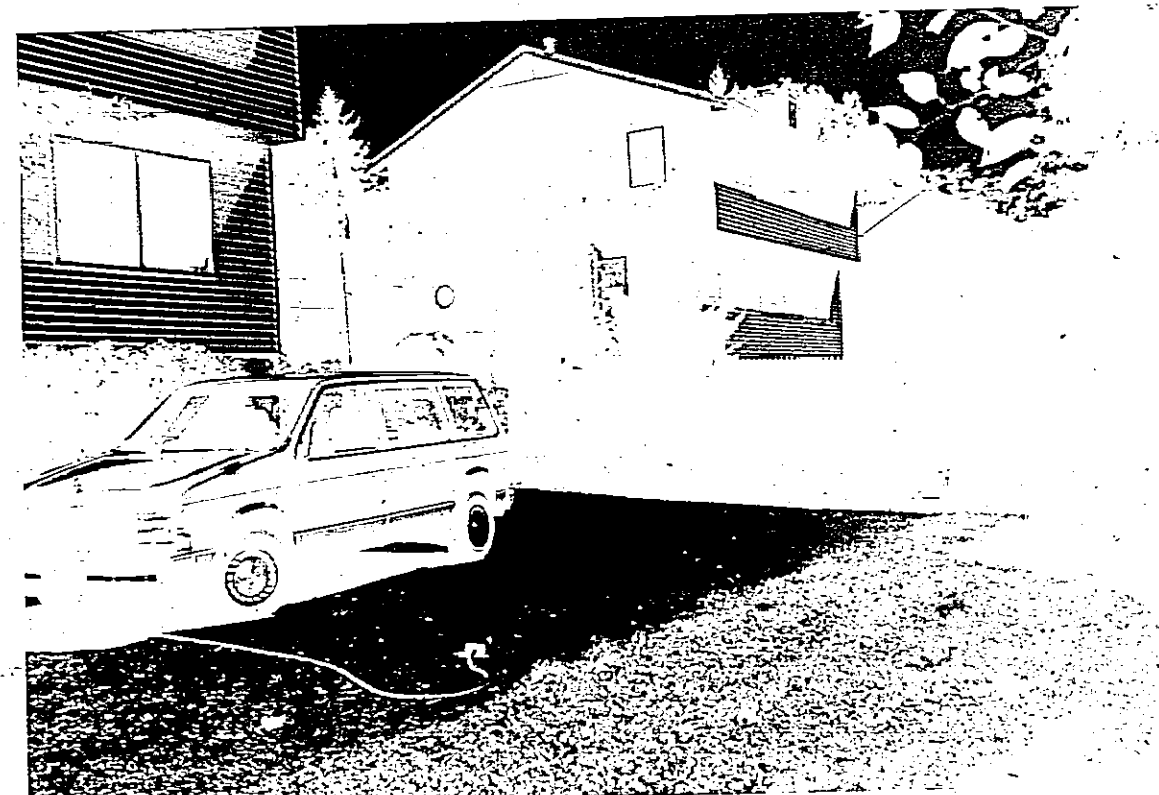
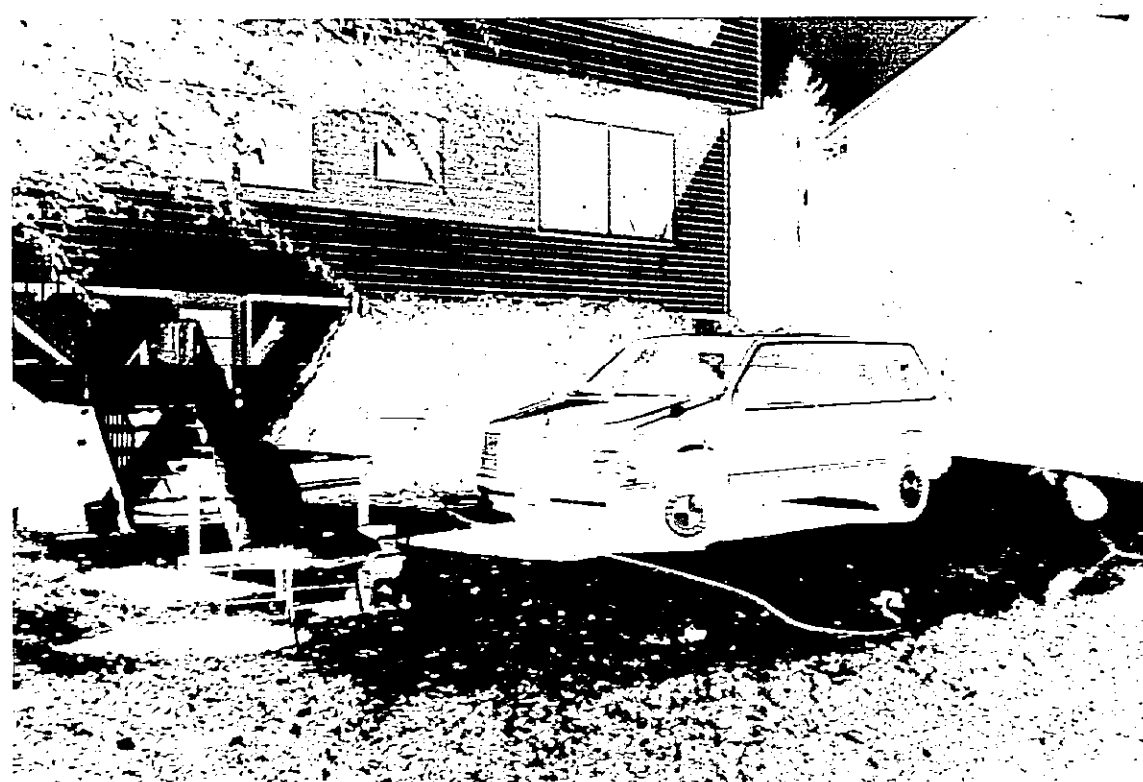
1717 Kurtz

4 CARS



Baltimore County Office of Zoning Administration  
and Development Management  
111 West Chesapeake Avenue  
Towson, Maryland 21204

P.E. #3  
PHOTOS



# 1 Week Beginning October

MON, OCT 1	TUE, OCT 2	WED, OCT 3
8:15	8:15	8:15
8:30	8:30	8:30
8:45	8:45	8:45
9:00	9:00	9:00
9:15	9:15	9:15
9:30	9:30	9:30
9:45	9:45	9:45
10:00	10:00	10:00
10:15	10:15	10:15
10:30	10:30	10:30
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11:00	11:00	11:00
11:15	11:15	11:15
11:30	11:30	11:30
11:45	11:45	11:45
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6:30	6:30	6:30
6:45	6:45	6:45
7:00	7:00	7:00
7:15	7:15	7:15
7:30	7:30	7:30
7:45	7:45	7:45

PETITIONER'S  
EXHIBIT 6

ONCE-DAILY  
**ZESTRIL**

91-271XA

STUART PHARMACEUTICALS  
A Division of Abbott Laboratories  
North Chicago, Illinois 60064

# 25 Week Beginning February

MON, FEB 25	TUE, FEB 26	WED, FEB 27
8:15	8:15	8:15
8:30	8:30	8:30
8:45	8:45	8:45
9:00	9:00	9:00
9:15	9:15	9:15
9:30	9:30	9:30
9:45	9:45	9:45
10:00	10:00	10:00
10:15	10:15	10:15
10:30	10:30	10:30
10:45	10:45	10:45
11:00	11:00	11:00
11:15	11:15	11:15
11:30	11:30	11:30
11:45	11:45	11:45
12:00	12:00	12:00
12:15	12:15	12:15
12:30	12:30	12:30
12:45	12:45	12:45
1:00	1:00	1:00
1:15	1:15	1:15
1:30	1:30	1:30
1:45	1:45	1:45
2:00	2:00	2:00
2:15	2:15	2:15
2:30	2:30	2:30
2:45	2:45	2:45
3:00	3:00	3:00
3:15	3:15	3:15
3:30	3:30	3:30
3:45	3:45	3:45
4:00	4:00	4:00
4:15	4:15	4:15
4:30	4:30	4:30
4:45	4:45	4:45
5:00	5:00	5:00
5:15	5:15	5:15
5:30	5:30	5:30
5:45	5:45	5:45
6:00	6:00	6:00
6:15	6:15	6:15
6:30	6:30	6:30
6:45	6:45	6:45
7:00	7:00	7:00
7:15	7:15	7:15
7:30	7:30	7:30
7:45	7:45	7:45

PETITIONER'S  
EXHIBIT 7

**ZESTRIL**  
LISINAPRIL CTI 1A DT

91-271XA

STUART PHARMACEUTICALS  
A Division of Abbott Laboratories  
North Chicago, Illinois 60064

[illegible][illegible]

SCALE:  $1/8" = 1'-0"$

OFFICE AREA	SPACE =	529 SQ. FT.
REST ROOM	=	25 SQ. FT.
TOTAL AREA FOR USE		= 554 SQ. FT.

ALL WALLS SHOWN ARE EXISTING NO CONSTRUCTION PROPOSED

AS SHOWN THERE ARE NO WINDOWS IN THE EXISTING SPACE.

A hand-drawn map showing a network of roads and a proposed site. The roads are labeled: AYESBURY RD., YORK RIDGE SHOP CTR., TUNHUN & WALL, REDFEY ROAD, ROAD, AUGUSTE ROAD, AVENUE, SEANAY, and LUTHEZVILLE. A dashed line indicates a proposed road or boundary. An arrow points to a specific location labeled 'SITE'.

AREA MAP  
SCALE: 1" = 1000'

## SITE INFORMATION

ZONING: PR2  
8th ELECTION DISTRICT, 4th COUNCIL DISTRICT  
OWNER: DR. EDWARD R. & FRANCES B. CROSTLOW  
1720 KURTZ AVENUE  
LYNNVILLE 21093  
TAX I.D. NUMBER: 16-00-010114  
TOTAL SITE AREA: 15,820 S.F. OR .369 ACRES  
UTILITIES: SITE SERVED BY WATER & SEWER.  
EXISTING BUILDING AREA:  
BASEMENT LEVEL = 789 S.F.  
FIRST FLOOR = 1,042 S.F.  
SECOND FLOOR = 883 S.F.  
TOTAL BUILDING AREA = 2,684 S.F.  
AREA ALLOWABLE FOR HOME OFFICE, OCCUPATION = 25% OF TOTAL  
AREA OR 2,684 S.F. X .25 = 671 S.F.  
PROPOSED AREA FOR HOME OFFICE, OCCUPATION = 554 SQ. FT.  
USE: PRIVATE DOCTORS OFFICE IN CONJUNCTION WITH PERSONAL  
RESIDENCE  
NUMBER OF EMPLOYEES = 1 (ONE)  
DAYS AND HOURS OF OPERATION = MON. THRU FRI. 9AM-5PM  
MAXIMUM NO. OF PATIENTS PER DAY = 11 (ELEVEN)  
PARKING REQUIRED:  
MEDICAL OFFICE = 4.5 SPACES PER 1000 SQ. FT. OF  
GROSS FLOOR AREA OR 1 SPACE PER 222 SQ. FT.  
554 SQ. FT. ÷ 222 = 2.49 SPACES REQUIRED.  
PARKING PROVIDED = 3 SPACES  
PROPOSED ZONING:  
1. NO CHANGE BUT WE DO REQUEST A SPECIAL EXCEPTION  
TO ALLOW A PHYSICIANS OFFICE IN THE PHYSICIANS  
PRIMARY RESIDENCE.  
2. ADDITIONALLY WE REQUEST A VARIANCE TO SECTION 403.4A  
TO ALLOW A DRIVEWAY WIDTH OF 9 FEET IN LIEU OF THE  
REQUIRED 20 FEET.

**PETITIONER'S  
EXHIBIT 1**

91-271-XA

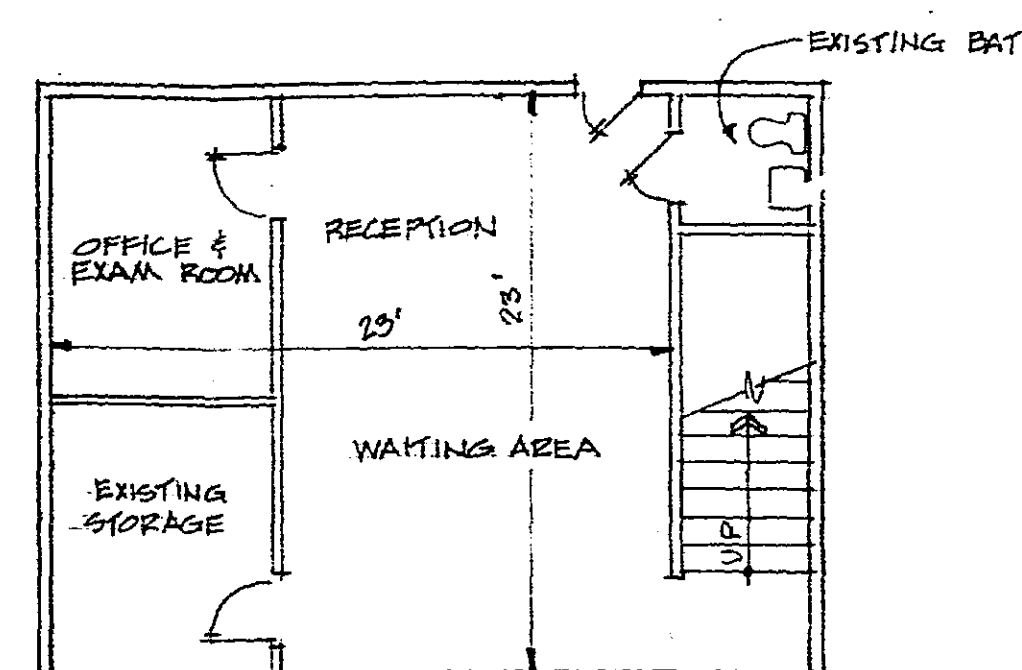
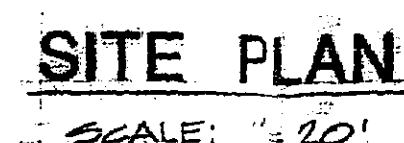
PLAT FOR SPECIAL EXCEPTION  
AND VARIANCE 4

**RICHARD L. BEALL, INC., A.I.A.**  
ARCHITECT AND PLANNER  
360 JONES STATION ROAD, ARNOLD, MARYLAND 21012 (301) 544-2010

PROPOSED HOME OFFICE FOR:  
DR. EDWARD P. COSTLOW  
1720 KURTZ AVENUE, BALTIMORE CO.  
MARYLAND

NO.	REVISIONS	BY	APP	DATE	JOB. NO.	DRAWING NO.  <b>C-1</b>
					DATE 10-30-90	
					SHEET 1 OF 1	

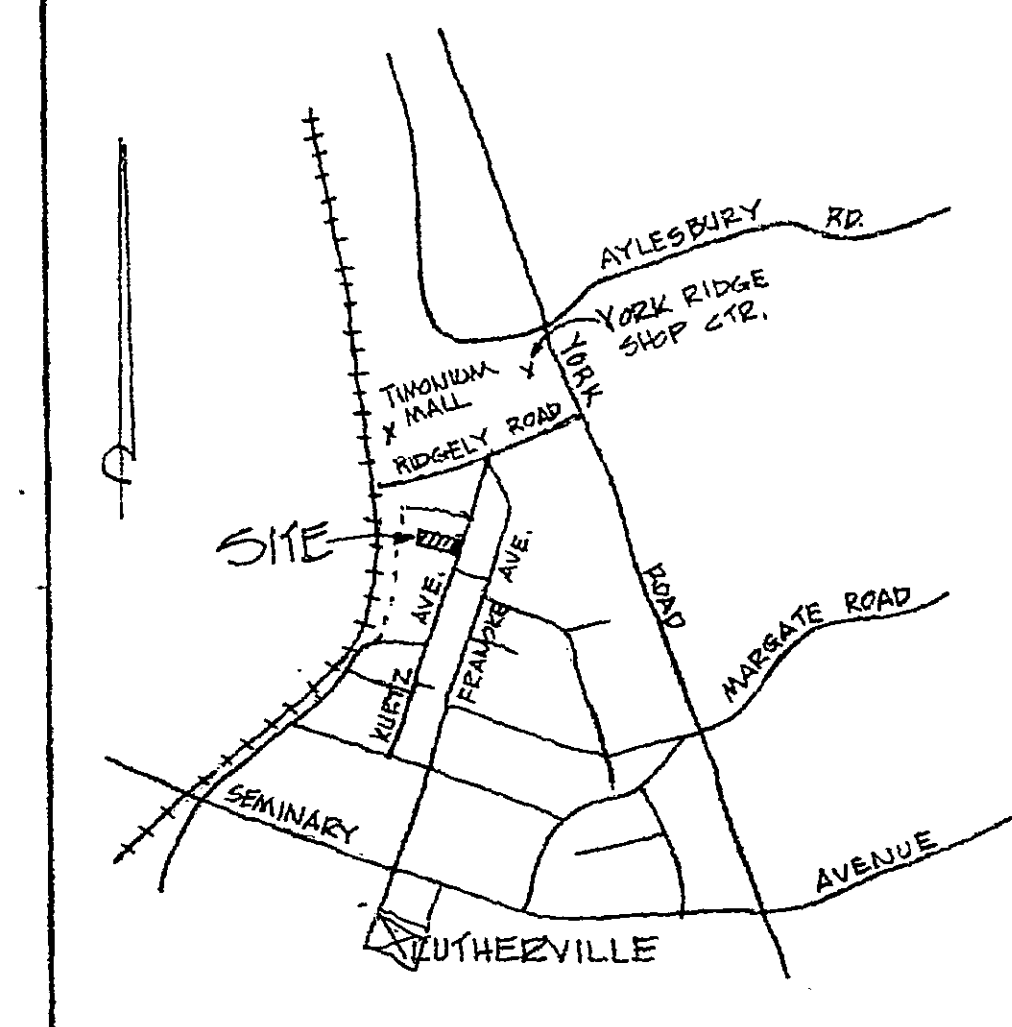




SCALE:  $\frac{1}{8}" = 1'-0"$

OFFICE AREA SPACE	=	529 SQ. FT.
REST ROOM	=	25 SQ. FT.
TOTAL AREA FOR USE	=	554 SQ. FT.

ALL WALLS SHOWN ARE EXISTING NO CONSTRUCTION  
PROPOSED.  
AS SHOWN THERE ARE NO WINDOWS IN THE EXISTING  
SPACE.



AREA MAP  
SCALE: 1" = 1000'

## SITE INFORMATION

ZONING: PR2  
 8TH ELECTION DISTRICT, 4TH COUNCIL DISTRICT  
 OWNER: DR. EDWARD P. & FRANCES B. COSTLOW  
 1720 KURTZ AVENUE  
 LUTHERVILLE MD. 21093  
 TAX I.D. NUMBER: 16-00-010114  
 TOTAL SITE AREA: 13,820 S.F. OR .309 ACRES  
 UTILITIES: SITE SERVED BY WATER & SEWER.  
 EXISTING BUILDING AREA:  
     BASEMENT LEVEL = .789 S.F.  
     FIRST FLOOR = 1,047 S.F.  
     SECOND FLOOR = 853 S.F.  
     TOTAL BUILDING AREA = 2,689 S.F.  
 AREA ALLOWABLE FOR HOME OFFICE / OCCUPATION = 25% OF TOTAL  
     AREA OR 3,464 S.F. x .25 = 861 S.F.  
 PROPOSED AREA FOR HOME OFFICE / OCCUPATION = 554 SQ. FT.  
 USE: PRIVATE DOCTORS OFFICE IN CONJUNCTION WITH PERSONAL  
     RESIDENCE  
 .. NUMBER OF EMPLOYEES = 1 (ONE)  
     DAYS AND HOURS OF OPERATION = MON. THRU FRI. 9AM TO 5PM  
     APPROXIMATIO. OF PATIENTS PER DAY = 11 (ELEVEN)  
 PARKING REQUIRED:  
     MEDICAL OFFICE = 4.5 SPACES PER 1000 SQ. FT. OF  
     GROSS FLOOR AREA OR 4.5 PER 222 SQ. FT.  
     554 SQ. FT. ÷ 222 = 2.49 SPACES REQUIRED.  
     PARKING PROVIDED = 6 SPACES INCLUDING 1 HANDICAPPED  
 PROPOSED ZONING:  
 1. NO CHANGE BUT WE DO REQUEST A SPECIAL EXCEPTION  
     TO ALLOW A PHYSICIAN OFFICE IN THE PHYSICIANS  
     PRIMARY RESIDENCE.  
 2. ADDITIONALLY WE REQUEST A VARIANCE TO SECTION 409.4A  
     TO ALLOW A DRIVEWAY WIDTH OF 3 FEET IN LIEU OF THE  
     REQUIRED 20 FEET FOR A TWO WAY MOVEMENT.

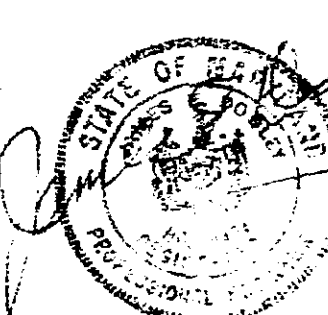
**PETITIONER'S  
EXHIBIT 2**

91-271XA

## PLAT FOR SPECIAL EXCEPTION AND VARIANCE



**RICHARD L. BEALL, INC., A.I.A.**  
ARCHITECT AND PLANNER  
360 JONES STATION ROAD, ARCHAID, MARYLAND 20713 (301) 554-2010



PROPOSED HOME OFFICE FOR:  
DR. EDWARD P. COSTLOW  
1720 KURTZ AVENUE, BALTIMORE CO.  
MARYLAND

NO.	REVISIONS	BY	APP	DATE	JOB. NO.	DRAWING NO.
					DATE 10-30-90	C-
					SHEET 1 OF 1	





Baltimore County  
Department of Permits and  
Development Management

Permits and Licenses  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204  
(410) 887-3900  
Fax: (410) 887-2824

January 30, 1996

Charles E. Brooks, Esquire  
Brooks & Spicer  
610 Bosley Avenue  
Towson, Maryland 21204

RE: Zoning Verification  
Proposed Class 7 Brewery  
1969 East Joppa Road  
Champion Billiards Cafe  
9th Election District

Dear Mr. Brooks:

Your letter of January 23, 1996 has been referred to me for reply. The staff has reviewed the zoning compliance question of Class 7, Micro-Breweries being permitted to locate in the B.L.-C.C.C. zone, as part of a (assumed) standard restaurant use at this location.

Based on the provided copy of Bill No. 185-95 (stated to be effective on January 6, 1996) the answer is affirmative, though the regulations now state that the overall use would then be considered a Class 7 brewery.

Please be aware that the referenced shopping center site has an extensive zoning history, which includes zoning parking variance case #91-272-A. Compliance with these zoning public hearing orders and plans must be demonstrated before any final zoning approvals can be given.

I trust that the information set forth in this letter is sufficiently detailed and responsive to your request. If you need further information or have any questions, please do not hesitate to contact me at 887-3391 (FAX - 887-5708).

Sincerely,  
  
John L. Lewis  
Planner II  
Zoning Review

JLL/jnw

BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE - REVENUE DIVISION MISCELLANEOUS CASH RECEIPT		No. 013449
DATE 1/24/96	ACCOUNT 001-6150	
AMOUNT \$ 40.00 (JLL)		
RECEIVED FROM	Law Offices of Charles E. Brooks	
FOR	#710 - VERIFICATION 1969 E. Joppa Road	
	024918018ANTHC BA C00130PH01-24-96	\$40.00
VALIDATION OR SIGNATURE OF CASHIER		

CHARLES E. BROOKS  
MALCOLM F. SPICER, JR.

LAW OFFICES  
BROOKS & SPICER  
610 BOSLEY AVENUE  
TOWSON, MARYLAND 21204  
(410) 888-1800

TELEFAX  
(410) 888-8078

January 23, 1996

HAND DELIVERED

Mr. Arnold Jablon, Director  
Department of Permits and  
Development Management For Baltimore County  
County Office Building  
Towson, Maryland 21204

Re: Champion Billiards Cafe  
1969 East Joppa Road  
Baltimore, Maryland 21234  
Perrine Plaza Shopping Center

Dear Mr. Jablon:

I enclose a copy of Bill 185/95 introduced by Councilmembers Moxley and Riley to the County Council which Mr. Peddicord advises was signed by the County Executive on November 22, 1995 and became effective on January 6, 1996 which provides that a Class 7, Micro-brewery is a permitted use in a B.L. C.C.C. Zone.

I wish to herein make a formal request that your office provide to me a written statement indicating that a Class 7, Micro-Brewery is a permitted use for the Champion Billiards Cafe at the above location.

I enclose my check in and for the sum of Forty Dollars (\$40.00) representing standard processing fee for said request.

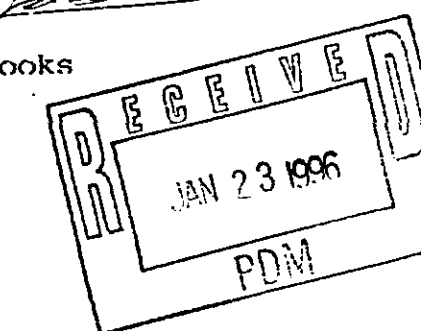
Your kind attention to the above is greatly appreciated.

Sincerely yours,

Charles E. Brooks

CEB/jg  
Enclosures

cc: Richard A. Allen



COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND  
LEGISLATIVE SESSION 1995, LEGISLATIVE NO. 20

BILL NO. 185-95

COUNCILMEMBERS MOXLEY & RILEY

BY THE COUNTY COUNCIL, OCTOBER 16, 1995

A BILL  
ENTITLED

AN ACT concerning

Breweries

FOR the purpose of defining several classes of breweries and permitting breweries to be located in certain business and manufacturing zones of the County under certain conditions.

By adding

Sections 232A.5 and 235A.5

Baltimore County Zoning Regulations, as amended

BY repealing and re-enacting, with amendments,

Section 101-Definitions, by adding definitions of classes of breweries and amending the

definition of a standard restaurant

Baltimore County Zoning Regulations, as amended

BY repealing and re-enacting, with amendments,

Sections 236.2, 253.1.A., 256.1 and 256.2, by adding, alphabetically, permitted brewery use

Baltimore County Zoning Regulations, as amended

WHEREAS, the Baltimore County Council has received a final report from the Planning Board, dated July 20, 1995, concerning the subject legislation, and held a public hearing thereon on

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.  
[Brackets] indicate matter stricken from existing law.  
Strike-out indicates matter stricken from bill.  
Underlining indicates amendments to bill.

September 18, 1995, now therefore

SECTION 1. BE IT ENACTED BY THE COUNTY COUNCIL OF BALTIMORE COUNTY,

MARYLAND, that Section 101 of the Baltimore County Zoning Regulations, as amended, be and it is hereby repealed and re-enacted, with amendments, by adding, alphabetically, definitions of classes of breweries and by amending the definition of a standard restaurant, to read as follows:

Section 101 - Definitions.

Words used in the present tense include the future; words in the singular number include the plural number; the word "shall" is mandatory. For the purposes of these regulations, certain terms and words are defined below:

Any word or term not defined in this section shall have the ordinarily accepted definition as set forth in the most recent edition of Webster's Third New International Dictionary of the English Language, Unabridged.

**BREWERY:** AN ESTABLISHMENT WITH A VALID ALCOHOLIC BEVERAGE MANUFACTURER'S LICENSE CLASS 5, 6, OR 7 ISSUED IN ACCORDANCE WITH MARYLAND ANNOTATED CODE ARTICLE 2B, SECTION 2-206, 2-207, OR 2-208.

**BREWERY, CLASS 5A:** A BREWERY WITH A CLASS 5 LICENSE WHICH PRODUCES 100,000 OR MORE BARRELS OF MALT BEVERAGE PER YEAR.

**BREWERY, CLASS 5B:** A BREWERY WITH A STATE CLASS 5 LICENSE WHICH PRODUCES LESS THAN 100,000 BARRELS OF MALT BEVERAGES PER YEAR.

**BREWERY, CLASS 6:** A BREWERY WITH A STATE CLASS 6 (PUB-BREWERY) LICENSE  
A CLASS 6 BREWERY IS ACCESSORY TO A STANDARD RESTAURANT AND PRODUCES NO

MORE THAN 2,000 BARRELS OF MALT BEVERAGE PER YEAR.

**BREWERY, CLASS 7:** A BREWERY WITH A STATE CLASS 7 (MICRO-BREWERY) LICENSE. A CLASS 7 BREWERY IS ESTABLISHED IN CONJUNCTION WITH A STANDARD RESTAURANT AND PRODUCES NO MORE THAN 10,000 BARRELS OF MALT BEVERAGE PER YEAR. FOR THE PURPOSES OF THESE REGULATIONS, A STANDARD RESTAURANT WITH A STATE CLASS 7 LICENSE SHALL BE DEFINED AS A CLASS 7 BREWERY.

**Restaurant, Standard:** A facility or part of a facility used primarily for serving meals and beverages to persons seated at tables on the premises of the establishment. The term includes cafes, cafeterias, tea rooms and outdoor cafes. The term does not include a catering hall. A standard restaurant may offer a carry-out service, provided such service is accessory to the principal restaurant operations. THE TERM INCLUDES A RESTAURANT WHICH INCLUDES A CLASS 6 BREWERY AS AN ACCESSORY USE. principal restaurant operations. A STANDARD RESTAURANT MAY INCLUDE A CLASS 6 BREWERY AS AN ACCESSORY USE.

SECTION 2. AND BE IT FURTHER ENACTED, that Sections 232A.5 and 235A.5 be and they are hereby added to the Baltimore County Zoning Regulations, as amended, to read as follows:

Section 232A - SPECIAL REGULATIONS FOR C.C.C. DISTRICTS.

Contrary provisions of these zoning regulations notwithstanding, the regulations of this section shall apply in C.C.C. districts superimposed upon B.L. zones (All aspects of matters not governed by the following provisions of this section shall be governed by all other applicable provisions of these zoning regulations.)

232A.5 - A BREWERY, CLASS 7, IS PERMITTED IF WITHIN THE URBAN RURAL DEMARCATION LINE.

Section 235A - SPECIAL REGULATIONS FOR C.C.C. DISTRICTS.

Contrary provisions of these zoning regulations notwithstanding, the regulations of this section shall apply in C.C.C. districts superimposed upon B.M. zones. (All aspects of matters not governed by the following provisions of this section shall be governed by all other applicable provisions of these zoning regulations.)

235A.5 - A BREWERY, CLASS 7, IS PERMITTED IF WITHIN THE URBAN RURAL DEMARCATION LINE.

SECTION 23. AND BE IT FURTHER ENACTED, that Sections 236.2, 253.1.A., 256.1 and 256.2 of the Baltimore County Zoning Regulations, as amended, be and they are hereby repealed and re-enacted, with amendments, by adding, alphabetically, a permitted brewery use, to read as follows:

Section 236 - B.R. ZONE (Business, Roadside) USE REGULATIONS  
The following uses only are permitted:  
236.2 - BREWERY, CLASS 7, IF WITHIN THE URBAN RURAL DEMARCATION LINE

Section 253 - M.L. ZONE (Manufacturing, Light) USE REGULATIONS  
253.1 - Uses permitted as of right. The uses listed in this subsection, only, shall be permitted as of right in M.L. zones, subject to any conditions hereinafter prescribed.

A. The following industrial uses:  
5. BREWERY, CLASS 5B, IF WITHIN THE URBAN RURAL DEMARCATION LINE;

M.H. ZONE - MANUFACTURING, HEAVY

Section 256 - USE REGULATIONS

The following uses only are permitted, subject to the provisions of 256.5:

256.1 - BREWERY, CLASS 5B, IF WITHIN THE URBAN RURAL DEMARCATION LINE.

256.2 - The following uses when located at least 300 feet from any residence zone or 200 feet from any business zone:

BREWERY, CLASS 5A, IF WITHIN THE URBAN RURAL DEMARCATION LINE.

[Brewing and distilling of beer, ale or liquor, malt manufacture.] DISTILLING OF LIQUOR

AND MALT MANUFACTURE.

SECTION 34. AND BE IT FURTHER ENACTED, that this Act shall take effect forty-five days from the date of its enactment.

B18595.WPD

Signed by Executive on 11/22/95  
Effective 1/6/96